

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1-35. (Cancelled)

36. (Currently Amended) A communications method, comprising:

establishing ~~an instant messaging a~~ presence-based communications session between a sender and a ~~recipient through an instant messaging host;~~ recipient; and

during the ~~instant messaging~~ presence-based communications session between the sender and the recipient:

establishing a video communications session between the sender and the recipient;

generating a video instant message on behalf of the sender;

storing the video instant message ~~at the instant messaging host;~~ and on behalf of the sender;

~~providing, to the instant messaging host, after generation of the video instant message is complete, receiving an indication that triggers sending of the video instant message to the recipient after generation of the video instant message is completed.~~ recipient; and

in response to receiving the indication that triggers sending of the video instant message to the recipient, initiating a transfer of the video instant message to the recipient using the video communications session.

37. (Previously Presented) The method of claim 36 wherein storing the video instant message comprises storing the video instant message in a location that is immutable by the sender.

38. (Currently Amended) The method of claim 36 further comprising ~~generating~~, during the instant messaging presence-based communications session between the sender and the recipient, ~~recipient~~:

receiving a text instant message [[to]] intended for the recipient ~~on behalf of from~~ the sender sender; and

~~providing, to the instant messaging host,~~ delivering the text instant message to the recipient.

39. (Previously Presented) The method of claim 36 further comprising accessing an indication of capabilities of the recipient.

40. (Previously Presented) The method of claim 39 wherein accessing an indication of capabilities of the recipient comprises accessing an indication of hardware associated with the recipient.

41. (Previously Presented) The method of claim 39 wherein accessing an indication of capabilities of the recipient comprises accessing an indication of software associated with the recipient.

42. (Previously Presented) The method of claim 39 further comprising displaying a user interface according to the capabilities of the recipient.

43. (Cancelled)

44. (Currently Amended) The method of claim 36 further comprising establishing a generic signaling interface channel, a control channel, and a video channel [[to]] between the sender and the recipient.

45. (Previously Presented) The method of claim 44 wherein the control channel comprises a TCP/IP socket.

46. (Previously Presented) The method of claim 44 wherein the video channel comprises a UDP channel.

47. (Previously Presented) The method of claim 44 wherein the video channel comprises a TCP channel.

48. (Currently Amended) A communications method, comprising:
establishing ~~an instant messaging~~ a presence-based communications session between a sender and a ~~recipient through an instant messaging host;~~ recipient; and
during the ~~instant messaging~~ presence-based communications session between the sender and the recipient:

establishing a video communications session between the sender and the recipient;
~~receiving~~ receiving, on behalf of the recipient, a ~~completed~~ video instant message [[from]] sent by the instant messaging host on behalf of the recipient after the instant messaging host receives an indication that generation of the video instant message is completed; sender using the video communications session;

storing the video instant message at the instant messaging host; on behalf of the recipient;

accessing the stored video instant message from the instant messaging host;
message; and

presenting enabling presentation of the video instant message to the recipient.

49. (Previously Presented) The method of claim 48 wherein storing the video instant message comprises storing the video instant message in a location that is immutable by the recipient.

50. (Currently Amended) The method of claim 48 further comprising ~~receiving~~, during the instant messaging presence-based communications session between the sender and the ~~recipient~~, recipient:

receiving a text instant message ~~from the instant messaging host on behalf of intended for the recipient from~~ the sender ~~sender~~; and
presenting enabling presentation of the text instant message to the recipient.

51. (Cancelled)

52. (Currently Amended) The method of claim 48 further comprising establishing a generic signaling interface channel, a control channel, and a video channel ~~to the sender~~; between the sender and the recipient.

53. (Previously Presented) The method of claim 52 wherein the control channel comprises a TCP/IP socket.

54. (Previously Presented) The method of claim 52 wherein the video channel comprises a UDP channel.

55. (Previously Presented) The method of claim 52 wherein the video channel comprises a TCP channel.

56. (Currently Amended) A computer program, stored on a computer readable medium, comprising instructions for:

establishing an instant messaging a presence-based communications session between a sender and a ~~recipient through an instant messaging host~~; recipient; and

during the ~~instant messaging~~ presence-based communications session between the sender and the recipient:

establishing a video communications session between the sender and the recipient;

generating a video instant message on behalf of the sender;

storing the video instant message ~~at the instant messaging host;~~ on behalf of the sender; and

~~providing, to the instant messaging host, after generation of the video instant message is complete, receiving an indication that triggers sending of the video instant message to the recipient after generation of the video instant message is completed.~~
recipient; and

in response to receiving the indication that triggers sending of the video instant message to the recipient, initiating a transfer of the video instant message to the recipient using the video communications session.

57. (Currently Amended) The computer program of claim 56 wherein the instructions for storing the video instant message comprises comprise instructions for storing the video instant message in a location that is immutable by the sender.

58. (Currently Amended) The computer program of claim 56 further comprising instructions ~~for generating, during the instant messaging communications session between the sender and the recipient, for:~~

receiving a text instant message [[to]] intended for the recipient on behalf of from the sender sender during the presence-based communications session between the sender and the recipient; and

~~providing, to the instant messaging host, delivering the text instant message to the recipient during the presence-based communications session between the sender and the recipient.~~

59. (Previously Presented) The computer program of claim 56 further comprising instructions for accessing an indication of capabilities of the recipient.

60. (Currently Amended) The computer program of claim 59 wherein the instructions for accessing an indication of capabilities of the recipient comprises comprise instructions for accessing an indication of hardware associated with the recipient.

61. (Currently Amended) The computer program of claim 59 wherein the instructions for accessing an indication of capabilities of the recipient comprises comprise instructions for accessing an indication of software associated with the recipient.

62. (Previously Presented): The computer program of claim 59 further comprising instructions for displaying a user interface according to the capabilities of the recipient.

63. (Cancelled)

64. (Currently Amended) A computer program, stored on a computer readable medium, comprising instructions for:

establishing ~~an instant messaging a~~ presence-based communications session between a sender and a recipient ~~through an instant messaging host; recipient; and~~

during the ~~instant messaging~~ presence-based communications session between the sender and the recipient:

establishing a video communications session between the sender and the recipient;

receiving receiving, on behalf of the recipient, a completed video instant message
[[from]] sent by the instant messaging host on behalf of the recipient after the instant
messaging host receives an indication that generation of the video instant message is
completed; sender using the video communications session;

storing the video instant message at the instant messaging host; message on behalf
of the recipient;

accessing the stored video instant message ~~from the instant messaging host;~~
message; and
presenting enabling presentation of the video instant message to the recipient.

65. (Currently Amended) The computer program of claim 64 wherein the instructions
for storing the video instant message comprises comprise instructions for storing the video
instant message in a location that is immutable by the recipient.

66. (Currently Amended) The computer program of claim 64 further comprising
instructions ~~for receiving, during the instant messaging communications session between the~~
~~sender and the recipient, for:~~

receiving a text instant message from the instant messaging host on behalf of intended for
the recipient from the sender sender during the presence-based communications session between
the sender and the recipient; and

presenting enabling presentation of the text instant message to the recipient during the
presence-based communications session between the sender and the recipient.

67. (Cancelled)

68. (Currently Amended) A system comprising:

means for establishing ~~an instant messaging a presence-based~~ communications session
between a sender and a ~~recipient through an instant messaging host; and~~ recipient;

means for establishing, during the presence-based communications session, a video
communications session between the sender and the recipient;

means for generating, during the ~~instant messaging~~ presence-based communications
session, a video instant message on behalf of the sender;

means for storing, during the ~~instant messaging~~ presence-based communications session,
the video instant message ~~at the instant messaging host; on behalf of the sender;~~

means for providing, during the instant messaging communications session, the video
instant message to the instant messaging host; and

~~means for providing, to the instant messaging host receiving, during the instant messaging communications session; session and after generation of the video instant message is complete, an indication that triggers sending of the video instant message to the recipient after generation of the video instant message is completed; recipient; and~~

means for initiating a transfer of the video instant message to the recipient using the video communications session in response to receiving the indication that triggers sending of the vide instant message to the recipient.

69. (Currently Amended) A system comprising:

~~means for establishing an instant messaging a presence-based~~ communications session between a sender and a recipient through an instant messaging host; [[and]]

means for establishing a video communication session between the sender and the recipient;

~~means for receiving, during the instant messaging presence-based~~ communications session, a completed video instant message [[from]] ~~sent by the instant messaging host on behalf of the recipient after the instant messaging host receives an indication that generation of the video instant message is completed; sender using the video communications session;~~

~~means for storing, during the instant messaging presence-based~~ communications session, the video instant message ~~at the instant messaging host; on behalf of the recipient;~~

~~means for accessing, during the instant messaging presence-based~~ communications session, the stored video instant message ~~from the instant messaging host; message; and~~

~~means for presenting, enabling presentation of the video instant message to the recipient during the instant messaging presence-based~~ communications session, ~~the video instant message to the recipient; session.~~

70. (Previously Presented) The method of claim 36, wherein generating the video instant message on behalf of the sender comprises generating the video instant message with a client device comprising a processor, a controller and a storage medium.

71. (Previously Presented) The method of claim 70, wherein the client device comprises a set-top box.

72. (Currently Amended) The method of claim 48, wherein receiving a completed video instant message [[from]] sent by the ~~instant messaging host on behalf of the recipient~~ sender using the video communications session comprises receiving the completed video instant message through a client device comprising a processor, a controller and a storage medium.

73. (Previously Presented) The method of claim 72, wherein the client device comprises a set-top box.

74. (Previously Presented) The system of claim 68, wherein the means for generating the video instant message comprises a client device comprising a processor, a controller and a storage medium.

75. (Previously Presented) The system of claim 74, wherein the client device comprises a set-top box.

76. (Currently Amended) The system of claim 69, wherein the means for receiving the completed video instant message comprises a client device comprising a processor, a controller and a storage medium.

77. (Previously Presented) The system of claim 74, wherein the client device comprises a set-top box.

78. (New) The method of claim 36 wherein establishing a presence-based communications session between a sender and a recipient comprises establishing an instant messaging communications session between a sender and a recipient.

79. (New) The method of claim 36 wherein the presence-based communications session requires that both the sender and the recipient are accessing a communications infrastructure over which the communications session is established at the same time such that establishing the presence-based communications session between the sender and the recipient comprises establishing the communications session between the sender and the recipient over the communications infrastructure when the sender and the recipient are both accessing the communications infrastructure at the same time.

80. (New) The method of claim 36 wherein establishing a presence-based communications session between a sender and a recipient comprises:
establishing a persistent connection between the sender and the recipient; and
establishing the communications session over the persistent connection between the sender and the recipient.

81. (New) The method of claim 36 wherein establishing a video communications session between the sender and the recipient is conditioned upon having previously established the presence-based communications session between the sender and the recipient.

82. (New) A communications method, comprising:
establishing a presence-based communications session between a sender and a recipient;
during the presence-based communications session, receiving, from the sender, a request to establish a video communications session between the sender and the recipient that is concurrent with the presence-based communications session;

in response to receiving the request to establish a video communications session between the sender and the recipient, establishing a video communications session between the sender and the recipient that is concurrent with the presence-based communications session; and
during the concurrent presence-based and video communications sessions between the sender and the recipient:

generating a video instant message on behalf of the sender;

receiving an instruction from the sender to send the video instant message to the recipient after generation of the video instant message is complete; and

in response to receiving the instruction to send the video instant message to the recipient, initiating a transfer of the video instant message to the recipient using the video communications session.

83. (New) The method of claim 79 wherein initiating a transfer of the video instant message using the video communications session comprises:

enabling presentation, to the recipient, of a hyperlink that is selectable by the recipient to trigger a transfer of the video instant message to the recipient;

receiving an indication of a selection of the hyperlink by the recipient; and

using the video communications session to transfer the video instant message to the recipient in response to receiving the indication of the selection of the hyperlink by the recipient.

84. (New) The method of claim 83 wherein:

the presence-based communication session comprises a text instant messaging communications session; and

initiating a transfer of the video instant message to the recipient using the video communications session comprises:

enabling presentation, to the recipient, of a hyperlink in a text instant messaging display window, the hyperlink being selectable by the recipient to trigger a transfer of the video instant message to the recipient;

receiving an indication of a selection of the hyperlink by the recipient; and

using the video communications session between the sender and the recipient to transfer the video instant message to the recipient in response to receiving the indication of the selection of the hyperlink by the recipient.

85. (New) A method comprising:

initiating an instant messaging session between a sender and a recipient;

in response to initiating the instant messaging session between the sender and the recipient, enabling display, to the sender, of an instant messaging graphical user interface associated with the initiated instant messaging session, the instant messaging graphical user interface being configured to enable the sender to compose and send text instant messages to the recipient;

in response to initiating the text instant messaging session between the sender and the recipient, determining if the recipient is capable of participating in video instant messaging; and based on a determination that the recipient is capable of participating in video instant messaging, enabling the graphical user interface associated with the instant messaging session to reflect that the recipient is capable of participating in video instant messaging.

86. (New) The method of claim 85 wherein enabling the graphical user interface associated with the instant messaging session to reflect that the recipient is capable of participating in video instant messaging comprises enabling display of an icon that indicates that the recipient is capable of participating in video instant messaging.

87. (New) The method of claim 86 wherein:
the icon is selectable to invoke a video instant messaging communications session between the sender and the recipient; and
the method further comprises:
receiving an indication of a selection of the icon by the sender; and
establishing a video instant messaging communications session between the sender and the recipient in response to receiving the indication of the selection of the icon by the sender.